

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

D&T PARTNERS, LLC (successor in interest
to ACET VENTURE PARTNERS, LLC),
Directly and Derivatively on Behalf of
ACET GLOBAL, LLC and
BAYMARK ACET HOLDCO, LLC

and

ACET Global, LLC

Plaintiffs,

v.

BAYMARK PARTNERS, LP;
BAYMARK PARTNERS
MANAGEMENT, LLC;
SUPER G CAPITAL, LLC;
SG CREDIT PARTNERS, INC.;
BAYMARK ACET HOLDCO, LLC;
BAYMARK ACET DIRECT INVEST, LLC;
et. al.

Defendants.

CIVIL CAUSE NO. 3:21-cv-01171-B

Plaintiffs' Request for Clerk's Entry of Default Against Defendant Baymark Partners, LP

Plaintiffs, D&T Partners, LLC (successor in interest to ACET Venture Partners, LLC), directly and derivatively on behalf of ACET Global, LLC and Baymark ACET Holdco, LLC) (D&T), and ACET Global, LLC (together, the "Plaintiffs") in the above-styled and numbered case, by and through its attorney of record, respectfully requests that the clerk of court enter a default against Defendant Baymark Partners, LP ("Baymark") pursuant to Federal Rule of Civil Procedure 55(a).

1. The Clerk of Court issued its Summons on October 8, 2021 to Baymark. (*See Exhibit A*).

2. Since Baymark did not maintain a registered agent in the State of Texas, on October 8, 2021, the Summons, Plaintiffs' First Amended Complaint with exhibits, and the required service

fee and was sent via Federal Express to the Texas Secretary of State for service on Baymark (*See Exhibit B*).

3. On October 19, 2021, the Secretary of State forwarded the above-listed documents via certified mail, return receipt requested, via tracking number 7190104647010135116 to the last known address for Baymark.

4. As of the date of this filing, Baymark has not picked up the certified envelope containing the Summons and First Amended Complaint. (*See Exhibit C*).

5. Baymark had 60 days from October 19, 2021 to retrieve the certified envelope from the United States Postal Service and file a responsive pleading to the First Amended Complaint (or until December 20, 2021).

6. The Texas Secretary of State sent their Certificate evidencing no response to the certified mail. (*See Exhibit D*).

7. To date, Baymark has not filed a responsive pleading, appeared, or otherwise defended the claims against it. Therefore, Plaintiffs are entitled to entry of default by the Clerk of Court.

WHEREFORE, Plaintiffs request that the Clerk of Court enter a Default Against Defendant Baymark Partners, LP, along with any such other and further relief to which Plaintiffs may be justly entitled.

Dated: December 31, 2021.

Respectfully Submitted,

By: /s/ Jason B. Freeman

Jason B. Freeman

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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of December, 2021, I filed the foregoing pleading via the Court's CM/ECF system, which will send electronic notice to all counsel of record.

I further hereby certify that on the 31st day of December, 2021, a copy of the foregoing has been mailed, via regular and certified mail, to the last known address of Baymark Partners, LP, 13455 Noel Road, Suite 1670, Dallas, TX 75240, pursuant to the records of the Texas Secretary of State.

/s/ Jason B. Freeman
Jason B. Freeman